

IC 20-12-19

Chapter 19. Tuition Exemptions for Children of Veterans

IC 20-12-19-1

Exemption from charges; scholarships; determination of eligibility

Sec. 1. (a) As used in this section, "state educational institution" has the meaning set forth in IC 20-12-0.5-1.

(b) This section applies to the following persons:

(1) A person who:

- (A) is a pupil at the Soldiers' and Sailors' Children's Home;
- (B) was admitted to the Soldiers' and Sailors' Children's Home because the person was related to a member of the armed forces of the United States;
- (C) is eligible to pay the resident tuition rate at the state educational institution the person will attend as determined by the institution; and
- (D) possesses the requisite academic qualifications.

(2) A person:

(A) whose mother or father:

- (i) served in the armed forces of the United States;
- (ii) received the Purple Heart decoration or was wounded as a result of enemy action; and
- (iii) received a discharge or separation from the armed forces other than a dishonorable discharge;

(B) who is eligible to pay the resident tuition rate at the state educational institution the person will attend as determined by the institution; and

(C) who possesses the requisite academic qualifications.

(3) A person:

(A) whose mother or father:

- (i) served in the armed forces of the United States during any war or performed duty equally hazardous that was recognized by the award of a service or campaign medal of the United States;
- (ii) suffered a service connected death or disability as determined by the United States Department of Veterans Affairs; and
- (iii) received any discharge or separation from the armed forces other than a dishonorable discharge;

(B) who is eligible to pay the resident tuition rate at the state educational institution the person will attend, as determined by the institution; and

(C) who possesses the requisite academic qualifications.

(c) Beginning with the semester or term that begins in the fall of 2000, a person described in subsection (b) is entitled to enter, remain, and receive instruction in a state educational institution upon the same conditions, qualifications, and regulations prescribed for other applicants for admission to or scholars in the state educational institutions, without the payment of any tuition or mandatory fees for one hundred twenty-four (124) semester credit hours in the state

educational institution. For purposes of this chapter, the commission for higher education of the state of Indiana (IC 20-12-0.5-2) shall define mandatory fees in consultation with the state student assistance commission (IC 20-12-21-4).

(d) If an applicant:

- (1) is permitted to matriculate in the state educational institution;
- (2) shall qualify under this chapter; and
- (3) shall have earned or been awarded a cash scholarship which is paid or payable to such institution, from whatsoever source; the amount paid shall be applied to the credit of such applicant in the payment of incidental expenses of the applicant's attendance at the institution, and any balance, if the terms of the scholarship permit, shall be returned to such applicant.

(e) Determination of eligibility for higher education benefits authorized under this section is vested exclusively in the Indiana department of veterans' affairs. Any applicant for these benefits may make a written request for a determination of eligibility by the Indiana department of veterans' affairs. The director or deputy director of the department shall make a written determination of eligibility in response to each request. In determining the amount of an individual's benefit, the state student assistance commission shall consider other higher education financial assistance as provided in section 2 of this chapter.

(f) An appeal from an adverse determination shall be made in writing to the veterans' affairs commission not more than fifteen (15) working days following the applicant's receipt of the determination. A final order shall be made by a simple majority of the veterans' affairs commission not more than fifteen (15) days following receipt of the written appeal.

(g) A person who knowingly or intentionally submits a false or misleading application or other document under this section commits a Class A misdemeanor.

(Formerly: Acts 1935, c.69, s.1; Acts 1941, c.117, s.1; Acts 1961, c.216, s.1; Acts 1971, P.L.331, SEC.1; Acts 1972, P.L.168, SEC.1.) As amended by Acts 1979, P.L.216, SEC.1; P.L.218-1985, SEC.13; P.L.1-1990, SEC.234; P.L.1-1992, SEC.103; P.L.5-1995, SEC.15; P.L.37-1999, SEC.1; P.L.52-2000, SEC.1; P.L.103-2002, SEC.1.

IC 20-12-19-2

Amount of benefits

Sec. 2. The amount of the benefits under this chapter is equal to one (1) of the following amounts:

- (1) If the applicant does not receive financial assistance specifically designated for tuition and mandatory fees, the amount determined under section 1 of this chapter.
- (2) If the applicant receives financial assistance specifically designated for tuition and mandatory fees:
 - (A) the amount determined under section 1 of this chapter; minus

(B) the financial assistance specifically designated for
tuition and mandatory fees.

As added by P.L.52-2000, SEC.2.